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## THE PUBLIC AND THE PRISON

Max May<sup>1</sup>

Motto: "... Behind them and primarily responsible is an apathetic public which has been ignorant of what is going on in institutions and has therefore tolerated inferior standards in the care of state wards." (Handbook of American Institutions for Juvenile Delinquents published by the Osborne Association, 1938, p. 25.)

The high standard of the science of American criminology and penology is impressive and yet the meager practical results of a century-long scientific work as applied to the *average* prison is disappointing. There are wardens considered leaders of prison reform; there is up to date medical care and there are classification clinics with efficient staffs of psychiatrists, psychologists and social workers. Nevertheless, results of readjustment of prisoners have been most unsatisfactory. There are many different reasons for this result. The one I want to discuss, is the lack of public interest in prison work, and the lack of real cooperation between prison and public.

Wardens claim that their efforts to rehabilitate their charges would have succeeded except for society's apathy and even hostile attitude toward convicts and exconvicts. Society countercharges that prisons release inmates unreformed and unfit for normal citizenship. The blame fairly falls on both sides.

There are two main groups of wardens representative of tendencies in prison administration up to the boards of control. One complies with civil service requirements, while the other is composed of those who get their jobs through the political machine. The latter attaches too much importance to public opinion, while the former is disposed to ignore it. Prison reform suffers from these extremes.

Political wardens strive to flatter public opinion and their representatives: press, radio, legislators, clubs and the like. They have little experience and little inclination for their jobs. Why should they care when after the comparatively short time a political shift may displace them! Consequently since the actual administration devolves on deputies, these wardens are not much concerned with attempting to solve the real problems of prison management. Routine dominates within the prison walls. Escapes and riots are dreaded chiefly because of unfavorable public reaction. To offset this we find a great deal of window-dressing. Reporters are invited to see the technical achievements in prison and the "human treatment" of prisoners. The reporter seldom is an expert in this field; even if he

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months in the Classification Division in a Penitentiary to become acquainted with the American Prison system.—Address: 424 Forest Ave., Cincinnati, Ohio.

was, he could not reasonably be expected to ascertain the real facts and to get real insight into the spirit of an institution during a short visit under prudent guidance. Nevertheless, his publication shows life behind the bars in a bright light, and the warden consequently reflects the glow. This is doubly deplorable because of the deception practiced on the public. The reports lead people to believe that the prisons are in excellent shape, that it is the prisoners' fault if he eventually leaves the prison unreformed. The average citizen draws the conclusion that everything possible is done in the prisons and that there is no need for his cooperation. Many speeches, held by prison officials of that type at clubs or meetings, impress the audience with this same happy state of affairs.

The other group of wardens take an opposite stand regarding public opinion. They are indifferent to it if not intolerant. Like many other officials they consider outside interference more or less detrimental to efficient management. They believe that the best prisons—like the best women—are talked of least. Reporters make them uneasy. If they are asked, they talk about prison problems in technical or general terms. The public is left in the dark and no constructive discussion is possible.

The tragic mistake of so many experts is to disregard the non-experts. *Odi profanum vulgus et arceo*. Laymen are allowed to listen to lectures but their views are not listened to. To cede them a vote in the augur's counsel seems a blasphemy. This appreciation

of public opinion is shared by many prison experts.

Reaction of the public to prison problems corresponds to the wardens' attitude described above. To be sure, there are occasions when public interest is high. For example, in the case of the escape of a dangerous criminal or any escape of dramatic nature. The press and public opinion are aroused until the prisoner is recaptured or killed. Interest in riots is still higher. A witty critic once stated: Prisons become newspaper topics only when mutinies occur.

Movies of prison life (with their tremendous propaganda effect) frequently distort the facts. The vicious and the dangerous are portrayed as the typical convicts and when to this is added the bewildering noise of riots and gun-fire the public interest in the vital problems is diverted. The same is true of many radio sketches on prison life.

At all times great men have shaped public opinion. History of the prison-system proves this, too. John Howard, Elizabeth Fry, Thomas Mott Osborne awakened the mind of men of their time; but the following generation, save a few experts, had forgotten them. The flames were smothered as soon as the revolutionists did not blow into them any more. Elmira or Mutual Welfare League—magic words in their day—are dead ideas to the modern public.

Do we need the collaboration with public opinion, the ordinary citizen, the layman in prison affairs? We do not if we let things slide as we have up to now. However, since *all* experts are of *one* opinion (a rare phenomenon) that

our average prison does not work, we should look around for help which, by the way, must be made available immediately. Some experts advocate a drastic solution: to change the prisons into social sanitariums. To realize this project, would take decades or even centuries, apart from the fact that these institutions would not fit all categories of prisoners. The order of the day is to revive the present prison system. As a matter of fact, part of these changes for the better is the idea of classification, of vocational training, of social education, etc.—and to apply it! However, cooperation of the public is necessary to this way of reforming the prisons and to real aftercare.

Can we get over the apathy or antipathy of today's public opinion? Pamphlets, radio sketches, news reports, speeches on prison life are like descriptions of a remote country. Would it not be more effective to let people enter the unknown land? To let them have insight into it and so to waken their good will toward cooperation? The prison doors should be open to them. By this we do not refer to the kind of visit carried out at a prison in the Middle West where anyone can enter the prison if he pays the entrance fee. Instead, there should be some careful selection of citizens interested in and fit for intelligent collaboration.

It is not likely that many people will wish to collaborate at first. It is, likewise, desirable to start the new work slowly and cautiously, then build up gradually according to experiences and success. It is not easy to pick out co-workers. But among a nation highly

trained and cultured, taking considerable interest in many branches of public life, this task may be undertaken in one way or the other.

Take a prison with approximately 2,000 prisoners. There may be a classification division to explore personalities of inmates and to investigate causes of their crimes. All findings are put down in reports and the reports are filed. The danger is that they stay there instead of being utilized. The diagnosis of emotional disturbances not being followed by treatment, or the statement that there are poor home conditions but no attempt to rectify them are of no value to either prison or society. In many cases social agencies and social workers and parole officers are of great help. But on the whole, they have not essentially changed the situation for the prisoners, either within or without prison walls. To be sure, without their help, conditions would be worse. What we suggest is a supplement for them. This is true especially for selected prisoners who need and deserve special care and guidance. Every classification worker knows such cases. Out of 2,000 cases the classification division may select 50 prisoners of *the normal, not psychopathic type*, who seem to be promising if treated individually. Let these 50 cases serve as a beginning for the work of Prison Visitors.

The Prison Visitor Movement developed in England. Elizabeth Fry did the first decisive work in this direction. In 1813, she visited the Newgate prison with the clear intention of helping prisoners and improving prison conditions. She founded the "Ladies' Asso-

ciation for the Improvement of the Female Prisoners in Newgate," looked after clothing, instruction and employment of the prisoners and taught them habits of order and industry.<sup>2</sup> After her death in 1854, there was a long interval until the 1920's when a new step forward was taken. This led to the foundation of the "National Association of Prison Visitors." Its purpose was "to alter the prisoner's outlook on life, to lessen his selfishness and to rouse in him some idea of his obligations to his fellow-citizens." The prison visitor should be an unofficial visitor, paying a friendly call on another man. He may ease the prisoner's bitterness and cynicism through his friendship, by discussing his troubles. The right method of approach is highly important. "I have little faith in the prison visitor's with the long face and the pocket full of tracts. . . . Only cheerful people should be prison visitors for there is dire need for brightness and laughter.<sup>3</sup> Breadth of outlook, sympathy, hard head (not hard heart) and complete lack of all false sentiment or morbidity are other requirements. Preferably a man with active life outside and in touch with social and individual conditions." Visitors should be selected from all classes, they should visit at least once a week. The Reception Board of the English prison decides which prisoner is to be visited. The Prison Commissioners (the supreme administrative body for all penal institutions in England) appoint the prison visitors on recommendation of the Prison Governors (Wardens).

Cooperation between the Prison Visitors and Governors is held of great importance. Suggestions concerning the prison are reported in the visitor's book available to the governor. There is a regular exchange of views at the annual meeting of the National Association of the Prison Visitors. An Executive Committee meets as often as necessary. A "National Association of Discharged Prisoners Aid Societies" assists discharged prisoners to find employment, temporary lodging and maintenance and takes an interest in their subsequent welfare. This association operates at every prison and cooperates with the prison visitors.

It is a question whether this idea can be made workable for American prison reform—in the American way. There are two tasks to be undertaken: 1) cooperating in individualized work aiming at the rehabilitation of *selected* prisoners and their aftercare. 2) forming the connecting link between prison and society in order to arouse public interest in prison work.

As to the first task: Emotional disturbances are well known causes of maladjustment often leading to crime; in many cases they are brought about or increased by adverse environment. Long imprisonment often increases even more these difficulties in personal and social adjustment; conditions after release intensify the hostile attitude toward society and make many ex-prisoners turn to crime again. There is need for persons who understand the difficulties prisoners have to face and

<sup>2</sup> John F. A. Watson, *Meet the Prisoner*. London, 1939, p. 31 ff.

<sup>3</sup> p. 101 *ibidem*. 3) p. 109 *ibidem*.

who are willing to help them. Our overcrowded prisons too seldom provide officials with enough time to listen patiently and kindly to prisoners. Everybody's caseload is too big. Moreover, there are a great many prisoners who do not want to reveal themselves even to social workers or chaplains, both looked upon as prison officials and often treated with certain distrust. This is the gap to be filled by prison visitors. They should try to approach the prisoner as friends, entirely independent of the administration, unpaid for their work, driven only by the desire to help. Reserved or embittered prisoners may be reached by the man who enters his cell with no other intention than to be a helpful friend.

It does take time to overcome the prisoner's reluctance but provided the right approach, a helpful relationship may soon be established. It should be completely free of pressure. If time reveals a lack of genuine relationship then of course, either should be at liberty to withdraw.

The visitor's task is not finished when the prisoner's term has expired. One might even say: it really begins with the day of release. For the attention given to the man while in prison proves to be worthless if not continued after his discharge. Life in prison is regulated by particular and strange conditions. Many, while serving their terms "well guarded and cared for," behave well. But afterwards they are unable to struggle against the hardship of life. To be sure, outside the prison walls there are social agencies and parole officers. But here, too, pressure of work

which often does not allow any individual care. Here, again, mass treatment as in the prisons. Perhaps the prisoner receives a few dollars for a weekly assistance; maybe he gets advice and suggestions on how to get a job; perhaps he can talk to the parole officer once a month (unless he is supposed just to write a postal card report). These small contacts are insufficient. It is at this time that the work of prison visitors should continue. He is to remain the convict's helper. He continues to have friendly talks with him. He tries to get him settled socially and economically. As long as the present unemployment problem makes it difficult to find a job, the visitor must do his best to encourage the convict with constructive advice; to reestablish family relations; to cooperate with agencies, relief commissions or special organizations for discharged prisoners; to see that he joins appropriate social clubs and organizations which encourage cultivation of hobbies or promote constructive interests. The prison visitors most delicate and difficult task is to renew the lost contact between a hostile society and the prisoner, acutely aware and fearful of this hostility.

This is, in rough outline, the prison visitor's responsibility as far as the prisoner is concerned. But the Prison Visitor Movement is like a Janus-head turning his face to a second problem at the same time: namely to interest society in prison reform and aftercare. It devolves upon the prison visitor to sell society these ideas.

So far, with few exceptions, the professional workers have not succeeded

in eliciting constant response to these ideas. On the other hand, there is proof (for instance through the Howard League in England with its many branches) that public opinion may be influenced to favor modern criminological ideas. If prison visitors go on with their work in this direction, in time they might well create laymen's cooperation in prison work, organized from bottom to top.

The prison visitors, independent and experienced members of their community, may do better than officials to arouse interest in prison reform among their fellow citizens. As in England, through regional and nationwide organizations, they may finally pave the way to combined efforts of prison administration, of public and of legislators. Once wider groups become interested in a certain legislative step, the legislators, quick to hear the voice of the voters, will respond readily. More so, if there is proof that effective prison reform and aftercare help to lessen the rising cost for the administration and building of prisons, thus doing a good service to the tax payer.

There are a few abuses, not easily to be stamped out without the cooperation of the public. On the other hand, until they are remedied, people won't lose all restraints toward prison reform. First of all, the political machine participating in prison management must be eliminated. Through it, Incapables get prison jobs and many prisoners "with money and friends" are paroled or discharged before their terms expire.

Idleness in correctional institutions should be abolished. The reluctance of

employers and employees toward prison labor is a serious obstacle. As in other countries, we should try to overcome it with the help of laymen chosen from all classes including employers and employees.

As to aftercare, cooperation of the community is indispensable for rehabilitation work after release, especially in creating camps for selected prisoners during the transition period. These camps pay for themselves as is shown in Witzwill in Switzerland.

In closing we like to mention a few additional remedies in winning over public opinion: careful selection of parolees instead of by mere routine or political influences. Separate institutional buildings for groups of say 500 prisoners of distinct types instead of luxurious fortresses for 5,000 people regardless of type. Protection of society against dangerous and professional criminals by detention in special institutions with special treatment. Large numbers of people distrust any prison reform for fear that it be advantageous to just that type of men. They may be won over more easily, if police, courts, and prisons lead with more energy and success the fight against recidivists and gangsters. The average citizen is suspicious of this weakness in the system and not a few of them suspect a secret alliance between politicians and the underworld.

Lay collaboration in prison work, starting with the prison visitor movement, could be of good service in restoring confidence and in interpreting the real issues to fellow-citizens. At the same time, this collaboration could

open the eyes of some prison officials whose outlook has been narrowed by routine and the belief that their walled-in-prison is a world of its own and not a living part of the community.

In the beginning, the prison visitor movement needs no money, no propaganda machine, no costly administration, no legislative act. What it does need is a little good will and vision on the part of a few wardens. To let it grow from the bottom up is the best way. The smaller the well selected number of prison visitors and prisoners,

the better the start. A far-sighted warden, with the aid of social agencies and similar organizations, may find in the neighboring community the personalities fit for this work. Let him direct their activities to some extent if he wants to. Then the prison visitors should be at liberty to go on with their work. The fewer rules the better. It goes without saying that there must be steady contact between the warden and the visitor. This cooperation, based upon common experience, will lead to further development.

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“Probation is society’s newer method, designed to teach offenders the lesson of self-control and obedience to law, and at the same time to give each offender a better chance to rehabilitate himself as a peaceful and law abiding citizen. Many offenders are in need of sympathetic understanding, encouragement and counsel.”

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*Federal Judge F. Ryan Duffy at The Central States Probation and Parole Conference in Milwaukee, May, 1941.*

Howard Gill of Washington, D. C.,

Technical Assistant to the Federal Bureau of Prisons, told a luncheon conference featuring the final sessions of the Southeastern States Probation and Parole Conference: “Fully half of the prisoners now confined in Federal Institutions in the United States could be sent back to their homes under a conditional release program if it were properly supervised.” Dr. F. Emory Lyon, Founder of The Central Howard Association, has long held that the same would be true of the average State Prison and Reformatory.

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